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Immigration: Legislative Issues on Nonimmigrant Professional Specialty (H-1B) Workers

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ABSTRACT

Although Congress enacted key legislation in 1998 to increase the number of nonimmigrant professional workers, commonly referred to as H-1B nonimmigrants, legislation has been introduced in the 106th Congress to raise the admissions ceiling further. This report discusses the main features of skilled employment-based immigration policy, analyzes trends in admissions of H-1B workers, summarizes the legislative proposals, and outlines the arguments of the proponents and opponents on increasing the number of H-1B nonimmigrants. This report tracks the legislation in the 106th Congress and will be updated accordingly. It replaces CRS Report RS20327. Related CRS products include: CRS Report RL30140, *An Information Technology Labor Shortage? Legislation in the 106th Congress;* CRS Report 98-531, *Immigration: Nonimmigrant H-1B Specialty Worker Issues and Legislation;* and, CRS Report 98-462, *Immigration and Information Technology Jobs: The Issue of Temporary Foreign Workers*.

Immigration: Legislative Issues on Nonimmigrant Professional Specialty (H-1B) Workers

Summary

Although Congress enacted legislation in 1998 to increase temporarily the number of nonimmigrant professional specialty visas, commonly known as H-1B visas, the new ceiling was reached months before FY1999 ended. In mid-March, INS announced that the FY2000 ceiling of 115,000 would once again be reached by June. Many in the business community, notably in the information technology area, are again urging that the ceiling be raised, and bills to do so have been introduced.

Congress is once again striving to balance the needs of U.S. employers with employment opportunities for U.S. residents. Proponents argue that increases in the admission of H-1B workers are essential if the United States is to remain globally competitive and that employers should be free to hire the best people for the jobs. Those opposing any further increases assert that there is no compelling evidence of a labor shortage in these professional areas that cannot be met by newly graduating students and retraining the existing U.S. work force. They argue further that the education of U.S. students and training of U.S. workers should be prioritized and that reliance on foreign workers would stymie those objectives. Proponents of the H-1B increase say that the education of students and retraining of the current workforce is a long-term response, and they cannot wait to fill today's openings.

The Senate Judiciary Committee has reported S.2045, which was introduced by Chairman Orrin Hatch. S. 2045 would increase the ceiling on H-1B visas by 297,500 over 3 years and would exclude from the ceiling all H-1B nonimmigrants who have at least a master's degree or who work for universities and nonprofit research facilities. It also would revise the education and training programs funded by the $500 fee that employers of H-1B workers pay. S. 2045 may soon come to the Senate floor.

House Judiciary Immigration and Claims Subcommittee has reported H.R. 4227 introduced by Chairman Lamar Smith, which would eliminate the numerical limit on H-1B visas for FY2000 and would allow for temporary increases (i.e., enabling employers to hire H-1B workers outside of the numerical ceilings) in FY2001 and FY2002 if certain conditions are met. H.R. 4227 would also revise the requirements employers of H-1B workers must meet, notably adding a $40,000 minimum salary and new reporting requirements. It adds anti-fraud provisions (including the requirement that the H-1B worker have full-time employment) that would be funded by a $100 fee. Representatives David Dreier and Zoe Lofgren have introduced H.R. 3983, which would add an additional 362,500 H-1B visas over FY2001-FY2003 and would set aside 60,000 of those visas annually through FY2003 for persons with master's degrees. It would require employers to file W-2 forms with the Department of Labor for each H-1B worker employed. This bill would also raise the fee to $1,000 for scholarships and training.

Although S. 2045, H.R. 4227, and H.R. 3983 are receiving the most attention now, other bills pertaining the H-1B issues have been introduced. This report tracks this legislation and will be updated accordingly.

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Although Congress enacted legislation in 1998 to increase the number of visas for temporary foreign workers who have professional specialties, commonly known as H-1B visas, the new annual ceiling of 115,000 visas was reached months before FY1999 and FY2000 ended. Many in the business community, notably in the information technology area, are again urging that the ceiling be raised. Legislation to raise the ceiling further has been introduced, though the various bills offer differing approaches. Congress is once again striving to balance the needs of U.S. employers with employment opportunities for U.S. residents.

Immigration Policy for Professional Workers

Temporary Foreign Workers. A nonimmigrant is an alien legally in the United States for a **specific purpose** and a **temporary period of time**. There are over 20 major nonimmigrant visa categories specified in the Immigration and Nationality Act, and they are commonly referred to by the letter that denotes their section in the statute. The major nonimmigrant category for temporary workers is the H visa. The largest classification of H visas is the H-1B workers in specialty occupations.[1] In 1998, the American Competitiveness and Workforce Improvement Act (Title IV of P.L. 105-277) increased the number of H-1B workers and addressed perceived abuses of the H-1B visa.

Any employer wishing to bring in an H-1B nonimmigrant must attest in an application to the Department of Labor (DOL) that: the employer will pay the nonimmigrant the greater of the actual compensation paid other employees in the same job or the prevailing compensation for that occupation; the employer will provide working conditions for the nonimmigrant that do not cause the working conditions of the other employees to be adversely affected; and, there is no strike or lockout. The employer also must post at the workplace the application to hire nonimmigrants. Firms categorized as H-1B dependent (generally if at least 15% of the workforce are H-1B workers) must also attest that they have attempted to recruit

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[1] The regulations define "specialty occupation" as requiring theoretical and practical application of a body of highly specialized knowledge in fields of human endeavor including, but not limited to, architecture, engineering, mathematics, physical sciences, social sciences, medicine and health, education, law, accounting, business specialties, theology and the arts, and requiring the attainment of a bachelor's degree or its equivalent as a minimum. Law and regulations also specify that fashion models deemed "prominent" may enter on H-1B visas.

U.S. workers and that they have not laid off U.S. workers 90 days prior to or after hiring any H-1B nonimmigrants.

DOL reviews the application for completeness and obvious inaccuracies. Only if a complaint subsequently is raised challenging the employer's application will DOL investigate. If DOL finds the employer failed to comply, the employer may be fined, may be denied the right to apply for additional H-1B workers, and may be subject to other penalties.

The prospective H-1B nonimmigrants must demonstrate to the Immigration and Naturalization Service (INS) that they have the requisite education and work experience for the posted positions. INS then approves the petition for the H-1B nonimmigrant (assuming other immigration requirements are satisfied) for periods up to 3 years. An alien can stay a maximum of 6 years on an H-1B visa. The employer must pay a $500 fee for every H-1B nonimmigrant initially admitted, getting an extension, and changing employment or nonimmigrant status.[2] This fee then is allocated to DOL for job training and to the National Science Foundation for scholarships and grants.[3] There is also a $110 filing fee that goes to INS.

Permanent Employment-Based Immigration. Many people confuse H-1B nonimmigrants with permanent immigration that is employment-based.[4] If an employer wishes to hire an alien to work on a permanent basis in the United States, the alien may petition to immigrate to the United States through one of the employment-based categories. The employer "sponsors" the prospective immigrant, and if the petition is successful, the alien becomes a legal permanent resident.[5] Many H-1B nonimmigrants may have education, skills, and experience that are similar to the requirements for three of the five preference categories for employment-based immigration: priority workers — i.e., persons of extraordinary ability in the arts, sciences, education, business, or athletics, outstanding professors and researchers; and, certain multinational executives and managers (first preference); members of the professions holding advanced degrees or persons of exceptional ability (second preference); and, skilled workers with at least 2 years training and professionals with baccalaureate degrees (third preference).[6]

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[2] Some employers such as institutions of higher education and nonprofit or governmental research organizations are exempt from the $500 fee. *Federal Register*, v. 65, no. 40, February 29, 2000, p. 10678-10685.

[3] For information on the programs funded by the fees, see the DOL website at [www.doleta.gov] and the NSF website at [www.nsf.gov].

[4] The other potentially confusing category is the "O" nonimmigrant visa for persons who have extraordinary ability in the sciences, arts, education, business or athletics demonstrated by sustained national or international acclaim.

[5] There are also per-country numerical limits. For more information, see: CRS Report 94-146, *Immigration: Numerical Limits on Permanent Admissions, FY1998-FY2000*, by Joyce C. Vialet.

[6] Third preference also includes 10,000 "other workers," i.e., unskilled workers with occupations in which U.S. workers are in short supply.

Employment-based immigrants applying through the second and third preferences must have job offers for positions in which the employers have obtained labor certification. The labor certification is intended to demonstrate that the immigrant is not taking jobs away from qualified U.S. workers, and many consider the labor certification process far more arduous than the attestation process used for H-1B nonimmigrants.[7] More specifically, the employer who seeks to hire a prospective immigrant worker petitions INS and DOL on behalf of the alien. The prospective immigrant must demonstrate that he or she meets the qualifications for the particular job as well as the preference category. If DOL determines that a labor shortage exists in the occupation for which the petition is filed, labor certification will be issued. If there is not a labor shortage in the given occupation, the employer must submit evidence of extensive recruitment efforts in order to obtain certification.

While the demand for H-1B workers has been exceeding the limit, the number of immigrants who were admitted or adjusted under one of the employment-based preferences — 77,517 in FY1998 — remains considerably less than the statutory limit of 140,000. The first and second preferences fell far short of the approximately 40,000 available to each category, with 21,408 and 14,384 respectively. The third preference is at its lowest point in recent years, dropping to 34,317 in FY1998 from a high of 62,756 in FY1996. Although demand for employment-based immigration is low overall, two countries – India and China – have reached their per-country ceilings and are developing backlogs.

Trends in H-1B Admissions

INS data illustrate that the demand for H-1B visas continues to press against the statutory ceiling, even after Congress increased it. The 65,000 numerical limit on H-1B visas was reached for the first time prior to the end of FY1997, with visa numbers running out by September 1997 (**Figure 1**). The 65,000 ceiling for FY1998 was reached in May of that year, and — despite the statutory increase — the 115,000 ceiling for FY1999 was reached in June of last year. Pent-up demand is also emerging as a factor, as about 5,000 cases approved in FY1997 after the ceiling was hit were rolled over into FY1998. Over 19,000 cases approved in FY1998 after the ceiling was hit were rolled over to FY1999.

INS admitted last autumn that thousands of H-1B visas beyond the 115,000 ceiling were approved in FY1999, allegedly as a result of problems with the automated reporting system. INS now has an auditor investigating how the problems occurred and how pervasive they may be. As many as 10,000 to 20,000 H-1B visas (not reported in the official data depicted in **Figure 1**) may have been issued over the ceiling in FY1999. It is unclear at this time how these excess cases can and will be treated, especially in terms of the statutory ceiling. Meanwhile, in mid-March of this year INS announced the FY2000 ceiling of 115,000 would be reached by June.

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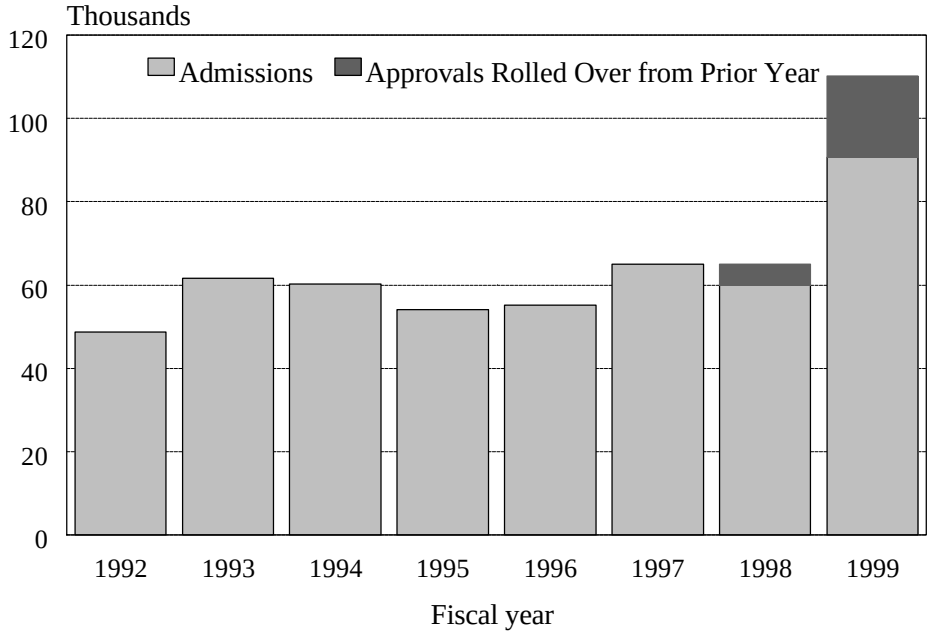
[7] Certain second preference immigrants who are deemed to be "in the national interest" are exempt from labor certification.

Figure 1. H-1B Admissions by Fiscal Year



Source: CRS analysis of unpublished INS data.

Characteristics of Recent H-1B Nonimmigrants[8]

Until recently, the only data available on the occupations filled by H-1B nonimmigrants were the labor attestation applications filed by prospective employers. These data were imperfect because they included multiple openings and did not reflect actual H-1B admissions. According to the DOL data on approved attestations, therapists — mostly physical therapists, but also some occupational therapists, speech therapists, and related occupations — comprised over half (53.5%) of those approved in FY1995. The number of attestations approved for therapists fell to one-quarter (25.9%) in FY1997. In FY1996 computer-related occupations became the largest category and continue to lead in job openings approved by DOL for H-1Bs, going from 25.6% in FY1995, to 41.5% in FY1996, to 44.4% of the openings approved in FY1997. The most recent DOL data (from October 1998 through May 1999) have systems analysts, programmers, and other computer-related occupations comprising 51% of all openings approved.[9]

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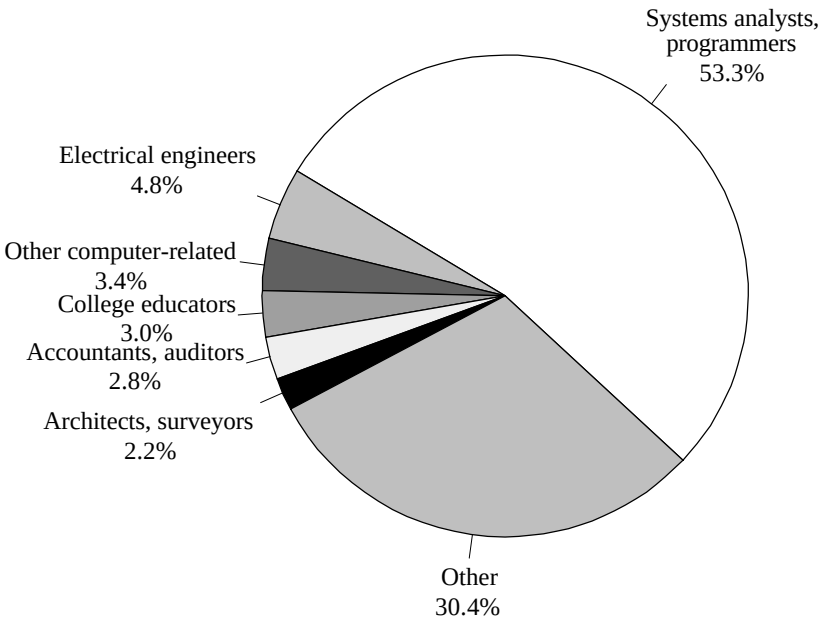
[8] Unless referenced as DOL data or otherwise noted, the analysis presented in this section of the report is based on a sample of 4,217 H-1B nonimmigrants drawn from the 134,400 H-1B nonimmigrants admitted during the period from May 11, 1998, through July 31, 1999. See: *Characteristics of Specialty Occupation Workers (H-1B)*, U.S. Immigration and Naturalization Service, February 2000.

[9] For a fuller analysis of these DOL data and their limitations, see: CRS Report for Congress 98-462, *Immigration and Information Technology Jobs: The Issue of Temporary Foreign*

(continued...)

Figure 2. Leading Occupations of Newly Arriving H-1B Workers



Source: CRS analysis of INS data from *Characteristics of Specialty Occupation Workers (H-1B).* This sample of 4,217 H-1B nonimmigrants is drawn from the 134,400 H-1B nonimmigrants admitted during the period from May 11, 1998, through July 31, 1999.

According to sample data covering the period May 1998 through July 1999 that INS recently released, over half (53.3%) of H-1B new arrivals are employed as systems analysts and programmers (**Figure 2**). Another 3.4% of the sample work in computer-related fields, and 4.8% in electrical engineering. College and university educators (3.0%), accountants and auditors (2.8%) and architects, engineers and surveyors (2.2%) round out the occupations with notable numbers of H-1B nonimmigrants. Anecdotal reports from other sources indicate a growing number of elementary and secondary school districts are now seeking H-1B nonimmigrants to work as teachers, particularly for bilingual instruction.

To obtain H-1B visas, nonimmigrants must demonstrate they have highly specialized knowledge in fields of human endeavor requiring the attainment of a bachelor's degree or its equivalent as a minimum. As **Figure 3** depicts, the most common degree attained by most H-1B new arrivals in the sample is a bachelor's degree or its equivalent (57.3%). Just under one-third (31.0%) of those sampled have earned master's degrees. Another 10.2% have either professional degrees or

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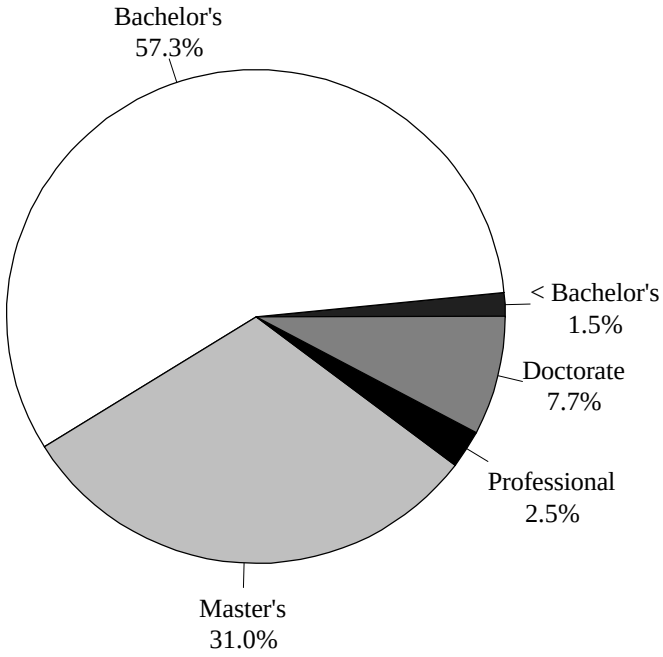
[9] (...continued)
Workers, by Ruth Ellen Wasem and Linda Levine.

doctorates. Those with less than a bachelor's degree are presumed to be the "prominent" fashion models who also are admitted as H-1B nonimmigrants.

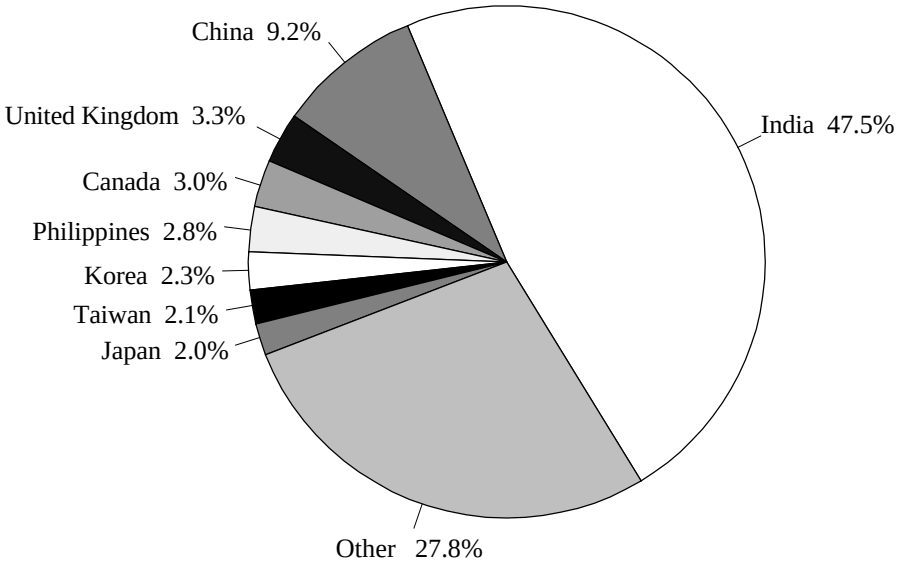
Figure 3. Educational Attainment of Newly Arriving H-1B Workers



Source: CRS analysis of INS data from *Characteristics of Specialty Occupation Workers (H-1B)*. This sample of 4,217 H-1B nonimmigrants is drawn from the 134,400 H-1B nonimmigrants admitted during the period from May 11, 1998, through July 31, 1999.

India is the leading country of origin for H-1B workers, comprising 47.5% of all of the new arrivals in the sample (**Figure 4**). The INS data further reveal that nearly 74% of all of the systems analysts and programmers in the sample are from India. In terms of overall H-1B new arrivals in the sample, China follows as a distant second with 9.2%, and the United Kingdom is third at 3.3%. Countries hovering between 2-3% are Canada, Philippines, Korea, Taiwan, and Japan.

Figure 4. Country of Origin of Newly Arriving H-1B Workers



Source: CRS analysis of INS data from *Characteristics of Specialty Occupation Workers (H-1B).* This sample of 4,217 H-1B nonimmigrants is drawn from the 134,400 H-1B nonimmigrants admitted during the period from May 11, 1998, through July 31, 1999.

American Competitiveness and Workforce Improvement Act[10]

Enacted as the 105th Congress drew to a close, Title IV of the FY1999 Omnibus Consolidated and Emergency Supplemental Appropriations Act (P.L. 105-277) raised the H-1B ceiling by 142,500 over 3 years and contained provisions aimed at correcting some of the perceived abuses. Most importantly, the 1998 law added new attestation requirements for recruitment and lay-off protections, but only requires them of firms that are "H-1B dependent" (generally at least 15% of the workforce are H-1Bs). All firms now have to offer H-1Bs *benefits* as well as wages comparable to their U.S. workers. Education and training for U.S. workers was to be funded by a $500 fee paid by the employer for each H-1B worker hired. The ceiling set by the new law was 115,000 in both FY1999 and FY2000, 107,500 in FY2001, and would revert back to 65,000 in FY2002.

The House (H.R. 3736) and the Senate (S. 1723) had offered proposals to raise the H-1B ceiling for the next few years, though each bill approached the increase

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[10] For a full account, see: CRS Report 98-531, *Immigration: Nonimmigrant H-1B Specialty Worker Issues and Legislation,* by Ruth Ellen Wasem, November 2, 1998.

differently. Each bill would have added whistle blower protections for individuals who report violations of the H-1B program and would have increased the penalties for willful violations of the H-1B program. Many considered the provisions aimed at protecting U.S. workers as the most controversial in H.R. 3736 as it was reported by the House Judiciary Committee. While S. 1723 as passed by the Senate did add provisions penalizing firms that lay off U.S. workers and replace them with H-1B workers if the firms have violated other attestation requirements, amendments that would have required prospective H-1B employers to attest that they were not laying off U.S. workers and that they tried to recruit U.S. workers failed on the Senate floor. H.R. 3736 as reported included lay-off protection and recruiting requirement provisions similar to those that the Senate rejected. On the other hand, S. 1723 included language that would have expanded the education and training of U.S. students and workers in the math, science, engineering and information technology fields.

Pre-conference discussions between Senate and House Republicans late in July 1998 yielded a compromise on key points of difference, but it did not address all the Administration's concerns regarding the education and training of U.S. workers and reform of the existing program. After a presidential veto threat of the Republican compromise, Republicans began working out a compromise with the White House, and this language passed as the substitute when H.R. 3736 came to the House floor on September 24, 1998. The House-passed language was then folded into P.L. 105-277.

Legislation in the 106th Congress

Senate Judiciary Committee Chairman Orrin Hatch has introduced the "American Competitiveness in the Twenty-first Century Act of 2000" (**S. 2045**), which would raise the number of H-1B visas by 297,500 over 3 years, FY2000-FY2002. Specifically, it would add 80,000 new H-1B visas for FY2000, 87,500 visas for FY2001, and 130,000 visas for FY2002. In addition, S. 2045 would exclude from the new ceiling all H-1B nonimmigrants who have at least a master's degree or who work for universities and nonprofit research facilities. The bill also has provisions that would facilitate the portability of H-1B status for those already here lawfully, would eliminate the per-country ceilings for employment-based immigrants, and would require a study of the "digital divide" on access to information technology. When the Judiciary Committee marked up S. 2045 on March 9, 2000, it approved an amendment by Senator Dianne Feinstein that would expand the math, science, and technology scholarships for students. It may soon come to the Senate floor.

The House Judiciary Immigration and Claims Subcommittee has favorably reported Chairman Lamar Smith's bill **H.R. 4227**, which would eliminate the numerical limit on H-1B visas for FY2000 and would allow for temporary increases (i.e., enabling employers to hire H-1B workers outside of the numerical ceilings) in FY2001 and FY2002 if certain conditions are met. These conditions include demonstrating that there was a net increase from the previous year in the number of employees on the employing company's payroll, and that there was a net increase in the total wages (including cash bonuses and similar compensation) paid to the U.S. workers on the payroll. H.R. 4227 would also revise the requirements employers of H-1B workers must meet, notably adding a $40,000 minimum salary and new

reporting requirements. Although universities and nonprofit research facilities would be exempt from certain new requirements, H.R. 4227 would require that H-1B workers engaged in instruction to students in the United States demonstrate competency in oral and written English. It would require employers to file W-2 forms and add anti-fraud provisions (including the requirement that the H-1B have full-time employment) funded by a $100 fee. It would give the Secretary of State responsibility for maintaining records on H-1B nonimmigrants.

Representatives David Dreier and Zoe Lofgren have introduced **H.R. 3983** which would add an additional 362,500 over FY2001-FY2003. Specifically, it would raise the ceiling by 200,000 for 3 years and would set aside 60,000 visas annually through FY2003 for persons with master's degrees. It would require employers to file W-2 forms with DOL for each H-1B worker employed. Like S. 2045, H.R. 3983 would eliminate the per-country ceilings for permanent employment-based admissions. It would enable employers to use Internet recruiting to meet labor market recruitment requirements and would establish an Internet web-based tracking system for immigration-related petitions. This bill would increase the $500 fee for education and training to $1,000 and would modify the scholarship and training program requirements, including the addition of student loan forgiveness in special cases.

Congresswoman Sheila Jackson-Lee, the ranking member of the House Judiciary Immigration and Claims Subcommittee, has introduced **H.R. 4200,** which would set the ceiling at 225,000 annually for FY2001-FY2003, with the condition that it would fall back to 115,000 if the U.S. unemployment rate exceeds 5% and 65,000 if the unemployment rate exceeds 6%. H.R. 4200 would allocate 40% of the H-1B visas in FY2000 to nonimmigrants who have at least attained master's degrees and would increase that allocation to 50% in FY2001 and 60% in FY2002 (with 10,000 set aside each year for persons with Ph.D. degrees). The bill also provides additional visas retroactively for those inadvertently issued in excess of the FY1999 ceiling. It would add a sliding fee scale based upon the size of the firm seeking H-1B workers and would revise the uses of the fees collected for education and training programs, including programs for children. Among other provisions, it further would modify the attestation requirements of employers seeking to hire H-1B workers.

House Judiciary Immigration and Claims Subcommittee Chairman Lamar Smith had previously introduced **H.R. 3814**, which would add 45,000 H-1B visas for FY2000 if the employer meets certain conditions. It would also raise the fee to $1,000 for scholarships and training, with most of the revenue going to merit-based scholarships for students. H. R. 3814 also includes provisions for expedited processing of H-1B petitions funded by a $250 fee and adds anti-fraud provisions (including the requirement that the H-1B have full-time employment) funded by a $100 fee. It would give the Secretary of State responsibility for maintaining records on H-1B nonimmigrants.

Although S. 2045, H.R. H.R. 4227 and H.R. 3983 now are receiving the most attention, other bills pertaining to the H-1B issues have been introduced.The "New Workers for Economic Growth Act" (**S. 1440/H.R. 2698**) introduced by Senator Phil Gramm and Congressman Dave Dreier would raise the ceiling of H-1B admissions to 200,000 annually FY2000-FY2002. Those H-1B nonimmigrants who have at least a master's degree and earn at least $60,000 would not count toward the ceiling.

Those who have at least a bachelor's degree and are employed by an institution of higher education would be exempted from the attestation requirements as well as the ceiling. Senator John McCain has introduced **S. 1804**, which, among other initiatives, would eliminate the H-1B ceiling through FY2006. Congressman David Wu introduced **H.R. 3508**, which would increase the ceiling by 65,000 annually through 2002 for those with master's or Ph.D. degrees, provided the employers establish scholarship funds.

The "Bringing Resources from Academia to the Industry of Our Nation Act" (**H.R. 2687)**, introduced by Congresswoman Zoe Lofgren, would create a new nonimmigrant visa category, referred to as "T" visas, for foreign students who have graduated from U.S. institutions with bachelor's degrees in mathematics, science or engineering and who are obtaining jobs earning at least $60,000. The "Helping Improve Technology Education and Competitiveness Act" (**S. 1645)**, introduced by Senator Charles Robb, also would create a "T" nonimmigrant visa category for foreign students who have graduated from U.S. institutions with bachelor's degrees in mathematics, science, or engineering and who are obtaining jobs paying at least $60,000. More stringent than H.R. 2687, S.1645 would include provisions aimed at protecting U.S. workers that are comparable to the provisions governing the H-1B visa.

Issues of Debate

Congress is once again striving to balance the needs of U.S. employers with employment opportunities for U.S. residents. Proponents argue that further increases in the admission of H-1B workers are essential if the United States is to remain globally competitive and that employers should be free to hire the best people for the jobs. They say that the education of students and retraining of the current workforce is a long-term approach, and they cannot wait to fill today's openings. Some point out that many mathematics, computer science, and engineering graduates of U.S. colleges and universities are foreign students and that we should keep that talent here. Others assert that H-1B workers create jobs, either by ultimately starting their own information technology firms or by providing a workforce sufficient for firms to remain in the United States.

Those opposing any further increases – temporary or permanent – assert that there is no compelling evidence of a labor shortage in these professional areas that cannot be met by newly graduating students and by retraining the existing U.S. work force. They argue that the education of U.S. students and training of U.S. workers should be prioritized. Opponents also maintain that salaries and compensation would be rising if there is a labor shortage and if employers wanted to attract qualified U.S. workers. Some allege that employers prefer H-1B workers because they are less demanding in terms of wages and working conditions and that an industry's dependence on temporary foreign workers may inadvertently lead the brightest U.S. students to seek positions in fields offering more stable careers.[11]

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[11] CRS Report RL30140, *An Information Technology Labor Shortage? Legislation in the 106th Congress*, by Linda Levine; and CRS Report 98-462, *Immigration and Information* (continued...)

Alternatively, some maintain that the H-1B ceiling is arbitrary and would not be necessary if more stringent protections for U.S. workers were enacted. They argue the question is not "how many" but "under what conditions." Some would strengthen the anti-fraud provisions and would broaden the recruitment requirements and layoff protections enacted in 1998 for "H-1B dependent" employers to all employers hiring H-1B workers.[12] Others would reform the labor attestation and certification process and would make the labor market tests for nonimmigrant temporary workers comparable to those for immigrants applying for one of the permanent employment-based admissions categories.

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[11] (...continued)
Technology Jobs: The Issue of Temporary Foreign Workers, by Ruth Ellen Wasem and Linda Levine.

[12] According to the testimony of Jacquelyn Williams-Bridgers, Inspector General of the U.S. Department of State, "(F)raud involving the H-1 visa program often involves large scale and complex operations." U.S. House of Representatives, Committee on the Judiciary, Subcommittee on Immigration and Claims, *Oversight Hearing on Nonimmigrant Visa Fraud*, May 5, 1999.